

REMARKS

I. Summary of Office Action

Claims 1-8 and 11-18 are pending in the application.

Claims 1-3, 5-7, 11-13, and 15-17 are withdrawn from the application as being drawn to non-elected species or inventions.

Claims 4, 8, 14 and 18 were rejected under 35 U.S.C. § 102(e) as being anticipated by Brenner et al. U.S. Patent No. 6,004,211 (hereinafter "Brenner").

II. Summary of Applicants' Reply

Applicants have amended independent claims 4 and 14 to more particularly define the invention. The rejection of applicants' claims is respectfully traversed.

III. Applicants' Reply to the 102(e) Rejection

A. Overview of Applicants' Claimed Invention

Independent claims 4 and 14, as amended, are directed toward a method and system of providing a user interface for interactive wagering. An indication of a wagering preference is received from a user. The wagering preference is stored for subsequent wagering sessions. The stored wagering preference is then used as a default selection in subsequent wagers in at least one of the subsequent wagering sessions. The subsequent wagers are associated with at least a track selection, a race selection, a bet type selection, a bet amount selection, and a horse selection. The user is also provided with an opportunity

to change the default selection for at least one of the subsequent wagers from the default selection to another selection.

In the "Response to Arguments" section of the Office Action, the Examiner asserts that Brenner's "duplicate a wager" function provides the user with an opportunity to place a new wager from previously inputted wager selections. See Office Action, page 5. These previously inputted wager selections, according to the Examiner, are "in fact . . . a saved player preference or player default setting." *Id.* In addition, the Examiner contends that Brenner's "more bets same race" function is considered as a "default or saved player preference." *Id.*

B. The Examiner's Alleged "Wagering Preference" in Brenner is Not Stored and Used as a Default Selection In Subsequent Wagering Sessions

Even if Brenner's "more bets same race" and "duplicate a wager" functions did involve receiving an indication of a wagering preference from a user, this wagering preference is not stored and used as a default selection in subsequent wagers in subsequent wagering sessions, as recited by applicants' amended independent claims 4 and 14.

In Brenner, the settings from the "duplicate a wager" and "more bets same race" functions are used during the creation of the next wager. See Brenner col. 12, lines 27-51. The user might select one of these buttons more than one time, but each time the user presses the button the selections from the *immediately proceeding* wager are used. Applicants' claimed invention patentably improves upon Brenner by storing the user's wagering preference for use in subsequent wagers *in subsequent*

wagering sessions. As such, the user's default wagering preferences may be accessed and used even after, for example, the wagering interface is reinitialized and the user is reauthorized. See specification, ¶¶ 0157-0164.

For at least the foregoing reasons, applicants submit that independent claims 4 and 14 are allowable over Brenner. Dependent claim 8 and 18, which include all the limitations of independent claims 4 and 14, respectively, are allowable for at least the same reasons. Applicants respectfully request, therefore, that the rejection of claims 4, 8, 14, and 18 be withdrawn.

IV. Conclusion

In view of the foregoing, claims 4, 8, 14 and 18 are in condition for allowance. The Office Action has withdrawn claims 5-7 and 15-17 from consideration as directed to a non-elected species. Applicants respectfully request that these claims be rejoined because the generic claims (i.e., independent claims 4 and 14) are in condition for allowance. This application is therefore in condition for allowance.

Reconsideration and allowance of the application are respectfully requested.

Respectfully submitted,



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